

**Fremont Conservation Commission
07-21-08 Minutes**



**Fremont Conservation Commission
Minutes of July 21, 2008
Approved August 4, 2008**

Present: Chairman John (Jack) Karcz, Members Janice O'Brien, Tina Sturdivant, Pat deBeer and Recording Secretary Meredith Bolduc.

Chrm. Karcz opened the meeting at 7:30 pm.

MINUTES

Mbr. Sturdivant made the motion to accept the minutes of the July 7, 2008 meeting as written. The motion was seconded by Mbr. O'Brien with unanimous favorable vote except for Mbr. deBeer who abstained as she was not present at that meeting.

Mbr. O'Brien made the motion to accept the minutes of the July 7, 2008 non-public meeting as written. The motion was seconded by Mbr. Sturdivant with unanimous favorable vote except for Mbr. deBeer who abstained as she was not present at that meeting.

WATER RESOURCE PLAN (1992)

Mbr. O'Brien stated that she has found that Fremont has nothing in place to regulate any large or commercial use of groundwater. This prompted a discussion relative to whether the Town may want to enact a Zoning Ordinance to address and regulate the extraction of large amounts of groundwater for commercial purposes. The Water Resource section of the Master Plan describes groundwater and aquifer as well as supply sources, but does not address the extraction of large amounts of groundwater for commercial purposes. Article IX Section E of the Zoning Ordinance talks about well supplies and water impoundment (a method or structure that holds or impedes stormwater) as being permitted in the Watershed Protection District.

Mrs. Bolduc suggested that the Conservation Commission could author a Groundwater Extraction Ordinance that could be presented to the Planning Board for their approved, reviewed and modified, if necessary, by Town Council, then go before the voters for acceptance. The Members discussed doing some research to see where there are grants available for this purpose. After some discussion Mbr. O'Brien said that she will try to obtain an ordinance, from a town that already has it in place that could be used as a model.

It was agreed that Chrm. Karcz will ask the Planning Board if there is any objection to the Conservation Commission drafting a commercial groundwater extraction ordinance.

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ERLAC

Signs

Mbr. Sturdivant said that the protected river sign at the rail trail will be in place soon.

Mbr. Sturdivant reported that ERLAC will hold an informational meeting from 7:00 to 8:30 pm tomorrow evening (July 22, 2008) in the Hilton Auditorium of the Rockingham County Nursing Home in Brentwood to present the fluvial geomorphology study and also a second study that will result in the development of the state's first long-range management plan for state-owned lands in the watershed.

BUDGET

The Commission received a correspondence from Heidi Carlson stating that the 2009 core budget needs to be submitted to her by August 7, 2008. Mrs. Bolduc reported that the Conservation Commission budget appointment with the Selectmen has not yet been scheduled.

After review and discussion of the 2009 Conservation Commission budget #4610 the Members agreed by consensus to the following:

Line #

001 – Photographs: remain unchanged at \$20

002 – Postage: remain unchanged at \$100

004 - Copies/office supplies: increase from \$100 to \$150 to cover added need for supplies and cost increase of same;

005 – Document purchases: remain unchanged at \$100

006 – Meetings and seminars: remain unchanged at \$1,000

008 – Membership dues: increase from \$200 to \$275 to cover the SPNHF dues that were not included in 2008

010 – Conservation Improvement: remain unchanged at \$1

020 - Exeter River LAC: remain unchanged at \$150

050 - Conservation fund: remain unchanged at \$1

As the result of the discussion relative to line 500, the Members decided to take a vote.

Mbr. O'Brien made the motion to reduce the projects line (500) from \$2,998 to \$1,500 to accurately reflect how the money from this line has been spent for the past 2 years.

Motion seconded by Mbr. Sturdivant with Chrm. Karcz, Mbr. O'Brien and Mbr. Sturdivant voting in the affirmative. Mbr. deBeer voted no because of the pending project which the Conservation Commission has been discussing in non-public session.

Result – line 500 – Conservation projects: decrease from \$2,998 to \$1,500

Chrm. Karcz noted that the 2009 Conservation Commission budget of \$3,297, as recommended by the Members, results in a bottom line decrease of \$1,373 from the 2008 budget of \$4,670. This represents an approximate 29.4 % decrease. It was noted that the budget could be further discussed with the Selectmen when Chrm. Karcz meets with them.

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It was agreed that payment to Dollard Associates for digitizing the newly approved prime wetland data onto the Tax Map and to Charlie Moreno for Town Forest expense would come from the project line when those projects are complete.

TREASURERS REPORT

Chrm. Karcz reported that the Commission received the Conservation account balances as of July 9, 2008 as submitted by Town Treasurer Kimberly Dunbar. The Current Use Fund account reflected payments to Attorneys Kalman and Ryan relative to the Perry Conservation Easement, Tom Brouillette relative to the survey for the Anderson Conservation Easement and Mark West relative to the Prime Wetland project. The Open Space account reflected a \$125 reimbursement to Robert O'Brien relative to expenses incurred for the Turtle Walk. Interest earned was reflected in all accounts.

COOPER'S CORNER/ John Wilder Map 3 Lot 037

Chrm. Karcz reported that the Commission has received a copy of a July 15, 2008 written "notice of violation and cease of activity" from Building Official Thom Roy to John Wilder for Cooper's Corner, LLC. Mr. Roy noted in his correspondence that approximately 30,000 square feet (100 x 300 feet) of the portion of the site between Spaulding Road and immediately to the west and adjacent to the well house is defined on the plan as wetland. This area was to be left undisturbed. Due to the recent removal of all vegetation and filling of that area Mr. Roy listed the following offenses:

1. Violation of the conditions of the Site Plan Approval; for filling or otherwise disturbing the wetland and watershed protection area within the site.
2. Violation of the Special Exception granted on Case #4-029; areas outside of the authorized limits have been disturbed.
3. Violation of Article IX Section H-2 of the Fremont Zoning Ordinance; watershed areas have been disturbed without a Special Exception.

Mr. Roy also requested that Mr. Wilder provide a mitigation and restoration plan compliant to his approved site plan and the Fremont Zoning Ordinance and also that he voluntarily contact NH DES relative to wetlands disturbance and a permit.

INCOMING CORRESPONDENCE

There was no additional incoming correspondence.

Mbr. Sturdivant made the motion to adjourn at 9:22 pm.
Motion seconded by Mbr. deBeer with unanimous favorable vote.

Meredith Bolduc
Recording Secretary